

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA**

HARRISONBURG DIVISION

**CLERK'S OFFICE U.S. DIST. COURT
AT HARRISONBURG, VA
FILED**

DEC 11 2014

**JULIA C. DUDLEY, CLERK
BY: 
DEPUTY CLERK**

GLENN EARL PROPER

V

THE DEPARTMENT OF VETERANS AFFAIRS

Civil Action # 5:14CV00066

(To be assigned by Clerk of District Court)

COMPLAINT

PARTIES

Plaintiff: Glenn Earl Proper

PO Box 391 Woodstock Virginia 22664

(540) 459-7207

Defendant: The United States America, Department of Veterans Affairs

Department of Veteran Affairs Office of Regional Counsel

3900 Loch Raven Blvd., Bldg, 4, Baltimore, MD 21218

(410) 605-7600

JURISDICTION

Government

STATEMENT OF CLAIM

1. I began receiving treatment for chronic neck pain at VAMC Martinsburg in November of 2011.
2. Dr. Shakespere was assigned as my primary care physician. She prescribed Gabapentin. The drug is known to have life-threatening side effects. She did nothing to address the adverse reactions reported by the patient. She repeatedly focused on her desire to withhold treating the pain complaints with opioids, apparently due to the patients previous use of alcohol for pain relief. Her focus also completely ignored my desire to not be dependent on a substance to relieve the pain.
3. After taking the drug as prescribed, I did not experience any degree of relief from the pain I was experiencing.
4. I began experiencing several adverse reactions. These included
 - Anxiety,
 - Depression,
 - A sense of confusion,
 - Erectile dysfunction,
 - Changes in behavior and mood,
 - Trouble concentrating,
 - Restlessness
 - Inability to sleep.
5. When she was informed of these negative effects, in office visits and via the secure message system, she began a rhetorical diatribe of how she refused to prescribe opioids due to previous alcohol consumption. At which point I emphatically stated that I was not interested in drinking. And that I would prefer to not be taking any drugs. However it was necessary to find a solution to the pain. Her rhetoric continued. I requested a different primary care physician. Dr. Havron was assigned.
6. Dr. Havron prescribed Pregablin as a substitute for Gabapentin. The adverse reactions continued. Dr. Havron did nothing to effectively address the issues. The reported adverse reactions are well documented via the FDA reporting and advisory programs. The prescribing physician should be well aware of the effects of a prescribed drug and take very seriously the reports from patients whom they prescribe the drugs.
7. After many attempts to communicate with Dr. Havron, both in person and via the secure message system, I realized that Dr. Havron would do nothing to address the adverse reactions; I informed him that I was discontinuing use of the drug. Shortly after, the effects from the prescribed drug caused me to freeze on the interstate which resulted in an automobile accident. The vehicle was totaled. I received several severe injuries.
 - 4 fractured cervical bones.
 - A brain injury.

- An Inoperable head wound.
- An Attenuated artery which feeds blood to the brain.
- Several Broken teeth
- A dental infection
- Broken dental plate
- Severe Emotional Trauma

8. The accident occurred on Interstate 81, south of Toms brook Virginia. On December 6th 2014. (12/06/2014)

I have continued to try and work with the VAMC assigned physicians. With hopes of receiving the "HIGH QUALITY HEALTHCARE" the Veterans Administration advocates through their promises to the American People and their Veterans. To date I have received minimal relief from the chronic pain. I am also experiencing escalated pain and associated loss from the negligent care of the previously assigned primary care physicians.

REQUEST FOR RELIEF

I petition the court for a judgment of \$2,000,000.00 to compensate me for the pain and trauma and loss of function resulting from the very poor care and malfeasant nature of the respective assigned federal employees.

DEMAND FOR JURY TRIAL

I request a jury trial

Signed This 11th Day of December 20124

Signature


Glenn E Proper